

**Apr 03, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ZIRKLE FRUIT COMPANY, a  
Washington Corporation,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
LABOR; PATRICK PIZZELLA, in his  
official capacity as Acting United States  
Secretary of Labor; JOHN P.  
PALLASCH, in his official capacity as  
Assistant Secretary of Labor,  
Employment & Training  
Administration, United States  
Department of Labor; CHERYL M.  
STANTON, in her official capacity as  
Administrator of the Wage & Hour  
Division, United States Department of  
Labor;

Defendants.

No. 1:19-cv-03180-SMJ

**ORDER DISMISSING CASE**

On March 31, 2020, the parties filed a stipulated dismissal, ECF No. 100.  
Consistent with the parties' agreement and Federal Rule of Civil  
Procedure 41(a)(1)(A)(ii), **IT IS HEREBY ORDERED:**

1. The parties' Notice of Stipulated Dismissal, **ECF No. 100**, is  
**ACKNOWLEDGED.**

2. All claims are **DISMISSED WITHOUT PREJUDICE**, with all parties to bear their own costs and attorney fees.

3. All pending motions are **DENIED AS MOOT**.


4. All hearings and other deadlines are **STRICKEN**.

5. The Court retains continuing jurisdiction to enforce its prior Orders, including concerning the remittance of unpaid wages, *see* ECF No. 93 at 30–31, *as modified by* ECF No. 97. *See Hook v. State of Ariz., Dept of Corr.*, 972 F.2d 1012, 1014 (9th Cir. 1992) (citing *City of Las Vegas, Nevada v. Clark Cty., Nevada*, 755 F.2d 697, 701 (9th Cir. 1984)).

6. The Clerk’s Office is directed to **CLOSE** this file.

**IT IS SO ORDERED.** The Clerk’s Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 3rd day of April 2020.

  
SALVADOR MENDEZ A, JR.  
United States District Judge